

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1931 (PCB COM 04-05) Tourism  
**SPONSOR(S):** Committee on Commerce  
**TIED BILLS:** **IDEN./SIM. BILLS:** CS/SB 262(I)

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Commerce	13 Y, 0 N	McDonald	Billmeier
2)			
3)			
4)			
5)			

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### SUMMARY ANALYSIS

The bill makes the following changes to existing law governing the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation (VISIT FLORIDA):

- The membership of the Florida Commission on Tourism is increased by three, by adding representatives, appointed by the Governor, from the space tourism industry, the youth travel industry, and an automobile and travel services membership organization that has at least 2.8 million members in Florida.
- Reduces to two, from three, the number of appointees to the Florida Commission on Tourism representing county destination marketing organizations, but increases to four, from three, the number of appointees to the commission from tourist-related statewide associations to include an association representing county destination marketing organizations.
- The membership of the board of directors for the Florida Tourism Marketing Corporation (VISIT FLORIDA) is increased from 28 to 31 directors to coincide with the increase in membership of the Florida Commission on Tourism.

The state will incur some additional per diem and travel-related expenses authorized by statute to be paid to members of the Florida Commission on Tourism.

The bill takes effect upon becoming a law.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h1931.com.doc  
**DATE:** April 13, 2004

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

##### **Florida Commission on Tourism**

###### ***Current Situation:***

The Florida Commission on Tourism and Visit Florida oversee the promotion of the tourism industry for the state. Housed within the Governor’s Office of Tourism, Trade, and Economic Development, the Commission is responsible for making policy decisions to promote and develop tourism throughout the state. The Commission, which was created by the Legislature in 1991, contracts with the Florida Tourism Industry Marketing Corporation or VISIT FLORIDA, a direct-support organization created by the Legislature in 1996, to carry out the programs and activities identified in the Commission’s four-year marketing plan. VISIT FLORIDA is a public-private partnership and serves as an umbrella organization under which Florida’s tourism promotional campaigns are coordinated. Its mission is to market and facilitate travel to and within Florida for the benefit of the state’s residents, economy, and travel and tourism industry. VISIT FLORIDA’s primary responsibilities include administering domestic and international advertising campaigns designed to promote the entire state as a tourism destination, conducting domestic and international promotional activities, managing the state’s welcome centers, and conducting research on tourism and travel trends.

###### Membership, Florida Commission on Tourism

The membership of the Florida Commission on Tourism currently consists of 28 members. Seventeen members are appointed by the Governor from the general tourism industry, and 11 additional members, also appointed by the Governor, must come from the following tourism industry areas:

- 3 representatives from the statewide rental car industry;
- 3 representatives from tourist-related statewide associations, including those that represent hotels, campgrounds, and attractions;
- 3 representatives from county destination marketing organizations;
- 1 representative from the cruise industry; and
- 1 representative from the airline industry.

The Commission is chaired by the Governor and includes two ex officio members, a member of the Senate appointed by the President of the Senate and a member of the House of Representatives appointed by the Speaker of the House of Representatives.<sup>1</sup>

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<sup>1</sup> Section 288.1223(2)(a), F.S.

### ***Effect of Proposed Changes:***

The bill changes the membership of the Florida Commission on Tourism by adding four to the Governor's number of appointees who must come from the tourism-related industries. One reduction in the current membership is also made for a net increase in membership of three members.

One representative is added from the space tourism industry, the youth travel industry, and an automobile and travel services membership organization that has at least 2.8 million members in Florida. The number of appointees to the Commission from tourist-related statewide associations is increased from three to four to include an association representing county destination marketing organizations. A corresponding reduction from three to two in the number of appointees representing county destination marketing organizations keeps the overall increase in the membership of the Florida Commission on Tourism at three additional members.

The language added to the bill relating to an automobile and travel services membership organization refers to AAA Auto Club South, Inc. The organization was founded in 1938 as the Tampa Motor Club and remains based in Tampa today. It is the third largest AAA club in North America with more than 2.8 million members in Florida, 3,000 employees, and 50 branch office locations in the state.

## **VISIT FLORIDA**

### ***Present Situation:***

The 28-member board of directors for VISIT FLORIDA is appointed from the tourism industry membership of the Florida Commission on Tourism.<sup>2</sup> According to VISIT FLORIDA's revised bylaws,<sup>3</sup> ex officio appointments to the board are made by the chair, subject to confirmation by the board. The term of an ex officio board member is concurrent with the chair's term and may be extended if the member is appointed by a subsequent chair and confirmed by the board. An ex officio appointee must have a demonstrated leadership position in a Florida tourism-related business, constituency, or other entity. Ex officio members from tourism-related industries are limited to four consecutive one-year terms, and no more than 20 ex officio members may serve at any one time. The term limits take effect for terms beginning June 30, 2003, and do not effect members serving terms prior to this date. Ex officio members serving as liaisons for state government serve concurrently with the state position or appointment. Ex officio members have all the rights and privileges of regular members, except that of voting, and as otherwise defined by the board.

### ***Effect of Proposed Changes:***

The bill changes existing law by adding three additional directors to the board of directors of VISIT FLORIDA to match the increase in the membership of the Florida Commission on Tourism. The change will provide the new members on the tourism commission with a direct voice and vote in the decision-making process of VISIT FLORIDA.

## **C. SECTION DIRECTORY:**

Section 1. Amends s. 288.1233, F.S., relating to the Florida Commission on Tourism; increasing membership by three; specifying changes in membership.

Section 2. Amends s. 288.1226, F.S., relating to the Florida Tourism Industry Marketing Corporation; increasing membership of board of directors by three.

Section 3. Provides an effective date of upon becoming a law.

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<sup>2</sup> Section 288.1226(4), F.S.

<sup>3</sup> At its September 2003 board meeting, Visit Florida's board of directors voted to adopt changes to its bylaws that altered the terms for ex officio members. *Amended and Restated Bylaws of Florida Tourism Industry Marketing Corporation, Inc., A Not-For-Profit Corporation*, Article V, Section 14.: Ex Officio and Honorary Members and the Florida Council of Tourism Leaders.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

The state will incur some additional per diem and travel-related expenses authorized by statute to be paid to members of the Florida Commission on Tourism.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

#### 1. Applicability of Municipality/County Mandates Provision:

This bill does not require municipalities or counties to expend funds, does not reduce their authority to raise revenue, and does not reduce the percentage of a state tax shared with counties or municipalities.

#### 2. Other:

None.

### B. RULE-MAKING AUTHORITY:

N/A

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

N/A